

**GADSDEN COUNTY PLANNING COMMISSION
MEETING MINUTES**

**Thursday, November 10, 2016
6:00 p.m.**

Board of County Commissioners Chambers
7 East Jefferson Street
Quincy, Florida 32351

Present: Commissioner Regina Davis, At - Large Member, Chair
Commissioner William Chukes
Commissioner Libby Henderson
Commissioner Marion Lasley
Commissioner Lori Bouie
Commissioner John Youman
Commissioner Doug Nunamaker
Commissioner Isaac Simmons, School Board Representative
Jill Jeglie, Interim Planning & Community Development Director
David Weiss, County Attorney
Beryl H. Wood, Deputy Clerk

Absent: Commissioner David Tranchand
Commissioner Edward J. Dixon
Commissioner Gerald McSwain
Commissioner Dr. Gail Bridges – Bright

1. PLEDGE OF ALLEGIANCE

Chair Davis called the meeting to order at 6:02 p.m. with a quorum present. She then led in the pledge of allegiance to the US Flag and asked each person to silence their electronic devices for the duration of the meeting.

2. ROLL CALL

Each member present stated his name and district for which he represents.

3. APPROVAL OF THE AGENDA

UPON MOTION BY COMMISSIONER CHUKES AND SECOND BY COMMISSIONER LASLEY, THE COMMISSION VOTED 8 – 0, BY VOICE VOTE, FOR APPROVAL OF THE AGENDA.

PUBLIC HEARINGS

4. Public Hearing (Legislative) (LDR2016-010) – Consideration of amendments to Subsection 5405, Corridor Road Landscaping Standards of the Land Development Code.

Ms. Jeglie said this hearing is required to offer a recommendation to the Board of County Commissioners BOCC) for the amendment of Chapter 5, Development Standards, Subsection 5405, Corridor Road Landscaping Standards of the Land Development Code (LDC) as to the consistency of said amendments to the Comprehensive Plan. She said modifications were done at the end of 2015 and were removed and now we are asking to add back in.

She discussed amendments to the Comprehensive Plan changed the required corridor road setbacks and removed the list of corridor roads from the LDC. In addition to adding these standards to Subsection 5405, the subsection has been reorganized and rewritten for clarity. She said they also did some moving and clarification; we moved the residential development standards to section 5405 B, the non-corridor road standards and then combined some of the standards that were scattered throughout the document.

Ms. Jeglie commented in 5405B it should be edited punctuation mark. It should be a period at the end of B. #5. – Interstate 10 from Jackson County to Leon County.

Chair Davis stated that since most of the Commissioners were using the red line version they would use that for the remainder of the discussion.

Ms. Jeglie said they added the list of corridor roads in subsection 5405–B; subsection 5405 B in strikethrough became C – Standards for Residential Development on Corridor Roads was added and in the standard subsection #1 was added to tell you what that setback is. She said it mimics policy 6.4.2 of The Comprehensive Plan, which is in their report.

Commissioner Lasley asked what the setback for a normal residential line is.

Ms. Jeglie said it typically is either a 65ft. center line of the right-of-way or 35ft. whichever is greater. It also could be a rear line when you are developing that along the road way as well.

In page 2 of 10 Ms. Jeglie commented on D. Standards for Non- residential Development on Corridor Roads. She said they removed the word Landscaping, because the standards for non-residential development on corridor roads. 1. a) the language to implement policy 6.4.2 for non-residential uses was added. In b) there was also some language changed. In 2 - Landscaping of vehicular use areas there where language changes as well.

Page 3 of 10, it was noted that it was a continuation of the previous policy on page 2 of 10. She discussed the additions in each. In 3 b added language was included: wide landscaped area along the adjacent property line.

Commissioner Lasley commented should we also include shall be planted and maintained in b and c of #2 of subsection 5405. Commissioner Chukes second the motion that trees in b and c **shall be planted and maintained** of page 3:

Commissioner Simmons questioned the wording of maintained, what it is, how long.

Commissioner Lasley said the intent was to have trees and plantings planted to cut down, give shade and visual.

Commissioner Youman asked were the trees serving as a buffer.

Ms. Jeglie said they are there for shade and aesthetic.

Commissioner Henderson voiced she was in favor of having the word maintain defined.

Commissioner Bouie suggested the developer submit a plan.

Commissioner Lasley said she would rather have a definition for maintained.

Chair Davis asked who would maintain.

Commissioner Lasley said at least there would be some language in the Code that would allow the County to be able to ask if they were

UPON MOTION BY COMMISSIONER LASLEY AND SECOND BY COMMISSIONER CHUKES, THE COMMISSION VOTED 5 -3, BY VOICE VOTE, FOR APPROVAL OF THE LANGUAGE AMENDMENT TO READ SHALL BE PLANTED AND MAINTAINED IN B AND C OF PAGE 3 – SUBSECTION 2- 5405. (Commissioner’s Nunamaker, Bouie and Simmons opposed the motion.)

Chair Davis asked for a definition of maintained, now that the motion has passed.

Ms. Jeglie said further back it talks about maintenance. I think it should be maintained, but it could be a wide definition.

Attorney Weiss stated to try to say maintain will vary with different types of vegetation. What you do with one type of plant/tree you don’t do with another. “I think that maintain keeping it generally presentable and alive.” He said a lawyer can pick anything apart by saying it’s not defined to say how you will maintain.

Ms. Jeglie said in penalties, liabilities and fines may be assigned by the County Code Enforcement Officer.

Commissioner Henderson gave some variations of usage from other counties as far as what was including in maintenance.

Attorney Weiss said the preference with anything is that it is in a nice tight box. He said he didn't feel that maintain was so ambiguous.

Chair Davis said based on what staff has said Code Enforcement would determine "maintain".

Attorney Weiss said it depends on how much you want to enforce. "If you want to go around and say wait a second it's not properly pruned. Then you may want to have some language that is very specific in terms of what has to happen. If you want to say, it just needs to be alive and not being choked out by a bunch of vines, maintain wording would work."

Commissioner Nunamaker mentioned a typographical error on page: it should read: There shall be **a** instead of **an** landscape island.

Ms. Jeglie discussed the graphic on page 4 of 10. She discussed page 5 of 10 a clarification of language in the setback area.

Attorney Weiss said it is defining that first 15ft. what you do with it. Here you saying the building setback and it are defining what you are doing in that area. He said he didn't feel it should be changed to corridor road.

Commissioner Chukes asked did the building setback have a minimum.

Attorney Weiss replied no.

Ms. Jeglie discussed the changes in 2. Protected Trees, where language was struck and added.

Commissioner Lasley said genus pinus (***Genus Pinus***) should be capitalized and italicized. 3 C – Last line 1600' remove underscore in

Attorney Weiss questioned agriculture concerns. He said does that mean if you have property designated agriculture you wouldn't have to preserve the protected trees. He said that is the way it reads and from a policy stand point, why wouldn't you want that.

In Page 6 of 10 Ms. Jeglie 6 discussed the additions and what was stricken in the language.

Commissioner Lasley inquired why we didn't have agriculture listed in the protected tree lines. She commented on the statement added in 6 b) – she said to her the added language further defines the silviculture and agriculture use. She questioned was it possible to add like agriculture or should it be left alone.

Ms. Jeglie this section seems it was cut and paste, but we have it in 7- Effect on Silviculture Activities.

Commissioner Lasley asked was silviculture a land use or an overlay.

Ms. Jeglie said there is a land use, but there also are activities.

Attorney Weiss said it is a designation, but it also is in a way designation work. There are certain things that are permitted in each designation and silviculture is permitted under agriculture.

In page 8 of 10, there were no additional comments. In page 9 of 10, there were no additional comments. In page 10 of 10, Commissioner Lasley questioned 4 asked about \$125 what was meant, she asked for word required replacement.

Ms. Jeglie said there is a calculation before that that talks about replacing them at 2 inches of replacement for every 1 inch, so if they did not plant them themselves or with the penalty it would be a \$125 per the double of replacement required.

Commissioner Lasley said she would prefer to see the wording of replacement required or required placement.

Chair Davis called for public comment and there was none.

UPON MOTION BY COMMISSIONER LASLEY AND SECOND BY COMMISSIONER BOUIE, THE COMMISSION VOTED 8 – 0, BY VOICE VOTE, FOR APPROVAL OF THE AMENDMENTS TO SUBSECTION 5405, CORRIDOR ROAD LANDSCAPING STANDARDS OF THE LAND DEVELOPMENT CODE AND WITH THE AMENDMENTS ABOVE.

GENERAL BUSINESS

5. PLANNING COMMISSIONER QUESTIONS AND COMMENTS

Chair Davis inquired about the placing of a permanent director.

Ms. Jeglie commented that she hasn't heard anything. She discussed the cancellation of the December meeting due to no new applications being submitted. A motion was offered by Commissioner Bouie that the December meeting be cancelled and it was seconded by Commissioner Youman.

UPON MOTION BY COMMISSIONER BOUIE AND SECOND BY COMMISSIONER YOUAMAN, THE COMMISSION VOTED 8 - 0, BY VOICE VOTE, FOR APPROVAL OF THE DECEMBER MEETING.

6. DIRECTOR'S COMMENTS

Ms. Jeglie thanked the Commissioners for the duration and commitment to Planning Commission throughout this year. She also wished each of them a "Happy Holidays."

ADJOURNMENT OF MEETING

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 6:43 P.M.**

GADSDEN COUNTY, FLORIDA

REGINA DAVIS, PC CHAIR

ATTEST:

**BERYL H. WOOD, DEPUTY CLERK
For NICHOLAS THOMAS, CLERK
Gadsden County, Florida**